

**National Environmental Justice Advisory Council**  
**Public Meeting**  
**September 18 through 20, 2007**

**SUPPLEMENTAL INFORMATION**

The meeting shall be used to receive comments, discuss, and provide recommendations regarding two major areas: (1) strategies to identify, mitigate, and/or prevent the disproportionate burden on communities of air pollution resulting from goods movement activities; and (2) key issues related to integration of environmental justice considerations in EPA's programs, policies, and activities.

- **Air Pollution Impacts of Goods Movement on Communities:** Environmental pollution from the movement of freight is becoming a major public health concern at the national, regional and community level. Also known as "goods movement," the distribution of freight involves diesel-powered vehicles and equipment almost every step of the way, resulting in significant emissions of particulate matter (PM), nitrogen oxides (NOx), hydrocarbons, and other air toxics throughout the process. A substantial body of scientific evidence asserts these emissions are or could be linked to respiratory disorders, cancer, heart disease, and premature death. Concern over goods movement has increased due to recent and projected increases in foreign trade require significant improvements to the essential infrastructure needed to move freight from coastal ports to the rest of the country. In most cases, goods movement involves an entire system of transportation facilities, including seaports, airports, railways, truck lanes, logistics centers, and border crossings. It is becoming increasingly important that these entities operate sustainably, i.e., economically viable, environmentally and socially responsible, safe, and secure.

EPA has requested that the NEJAC provide advice and recommendations regarding how the Agency can most effectively promote strategies, in partnership with federal, state, tribal, and local government agencies, to identify, mitigate, and/or prevent the disproportionate burden on communities of air pollution resulting from goods movement activities.

- **Key Issues Related to Integration of Environmental Justice Considerations in EPA's Programs, Policies and Activities:** The Agency will provide briefings about two key initiatives to further its efforts toward environmental justice integration: (1) the Environmental Justice Strategic Enforcement Assessment Tool, and (2) Environmental Justice Program Reviews:

(1) Environmental Justice Strategic Enforcement Assessment Tool (EJSEAT)" identifies areas with potential environmental justice concerns based on indicators (e.g., health, environmental, compliance and social demographics) described in EPA's environmental justice guidance document, "Toolkit for Assessing Potential Allegations of Environmental Injustice." EJSEAT enhances EPA's ability to protect minority and low-income communities and other burdened communities from adverse human health and environmental effects. EPA enforcement personnel will use EJSEAT to identify, in a more consistent and analytically rigorous manner, areas that may be disproportionately and adversely affected by environmental effects. EJSEAT will assist EPA's Office of Enforcement and Compliance

Assistance (OECA) to make fair and efficient resource deployment decisions. EPA will evaluate the potential for applying the tool in other Agency programs and activities.

(2) Environmental Justice Program Reviews: On September 18, 2006, EPA's Inspector General (OIG) issued an evaluation report entitled, "EPA Needs to Conduct Environmental Justice Reviews of its Programs, Policies, and Activities." The OIG conducted this review to determine whether EPA performed environmental justice reviews of their program, policies, and activities as required by Executive Order 12898, and whether additional guidance is needed.

The evaluation report identified four recommendations which EPA concurred with:

- Require the Agency's program and regional offices to identify which programs, policies, and activities need environmental justice reviews and require these offices to establish a plan to complete the necessary reviews.
- Ensure that environmental justice reviews determine whether the programs, policies, and activities may have a disproportionately high and adverse health or environmental impact on minority and low-income populations.
- Require each program and regional office to develop, with the assistance of the Office of Environmental Justice, specific environmental justice review guidance, which includes protocols, a framework, or directions for conducting environmental justice reviews.
- Designate a responsible office to: (a) compile the results of environmental justice reviews, and (b) recommend appropriate actions to review findings and make recommendations to the decision-making office's senior leadership.

Deputy Administrator Marcus Peacock stated in a memorandum dated December 18, 2006, in response to the OIG report that, "the Agency needs a more systematic, broader-scale approach to identifying and addressing disproportionate impacts to human health and the environment." Deputy Administrator Peacock then stated that EPA will begin by developing the necessary protocols to provide guidance on conducting environmental justice reviews of its programs, policies and activities.